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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,143	03/29/2001	Colin l'Anson	30003027 US	4254

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EXAMINER

FERGUSON, KEITH

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/821,143	Applicant(s) I'ANSON ET AL.	
	Examiner Keith T. Ferguson	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,9 and 11-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,9 and 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20041217</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3,9 and 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang, newly recited reference.

The claimed invention reads on Wang as follows:

Regarding claims 3 and 9, Wang discloses a method (fig. 23 and col. 24 line 25 through col. 28 line 25) of deriving location information about a first entity (transceiver) (mobile entity) (840) forming one endpoint (fig. 22) of an actual or potential communication path at the other end of which is a second entity (layer 4) (fig. 22 numbers 835,820,800), the path extending at least in part through a fixed communications infrastructure (fig. 22 and col. 24 line 25 through col. 28 line 25)), said method comprising the steps of: (a) identifying a first intermediate node (layer 1) (fig. 222 number 826) that lies along said path and is internal to the fixed communications infrastructure (fig. 22); (b) accessing information about the

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geographic significance of said first intermediate node (layer 1) (fig. 22 number 826) (gateway) taking into account the identity of a second intermediate node (layer 3)) (fig. 22 number 826) that lies in said path downstream of the first intermediate node when considered in a direction along said path towards said first entity (col. 19 line 26 through col. 20 line 61 and col. 21 line 41 through col. 22 line 3), and using the geographic significance information accessed in step (b) to provide said location information about the first entity (col. 19 line 26 through col. 20 line 61 and col. 21 line 41 through col. 22 line 3). Wang further discloses a radio telephone communication system (col. 3 line 28 through col. 4 line 5).

Regarding claims 11 and 12, Wang discloses a method (fig. 23 and col. 24 line 25 through col. 28 line 25) of deriving location information about a first entity (transceiver) (mobile entity) (840) forming one endpoint (fig. 22) of an actual or potential communication path at the other end of which is a second entity (layer 4) (fig. 22 numbers 835, 820, 800), the path extending at least in part through a fixed communications infrastructure (fig. 22 and col. 24 line 25 through col. 28 line 25), said method comprising the steps of: (a) identifying a first intermediate node (layer 1) (fig. 22 number 826) that lies

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along said path and is internal to the fixed communications infrastructure (fig. 22); (b) accessing information about the geographic significance of said first intermediate node (layer 1) (fig. 22 number 826) (gateway) taking into account the identity of a second intermediate node (layer 3) (fig. 22 number 826) that lies in said path downstream of the first intermediate node when considered in a direction along said path towards said first entity (col. 19 line 26 through col. 20 line 61 and col. 21 line 41 through col. 22 line 3), and using the geographic significance information accessed in step (b) to provide said location information about the first entity (col. 19 line 26 through col. 20 line 61 and col. 21 line 41 through col. 22 line 3) and repeating multiple times for different first-entity locations and thereafter consolidating for each node, the associated location data into location zone data constituting said geographic significance data for the Node (i.e. the location system continues seeking the transceiver location by updating its memory until the transceiver is found) (col. 20 lines 29-61 and col. 21 line 14 through col. 22 line 64).

Regarding claims 13 and 14, Wang discloses a system (fig. 22) for deriving location information about a first entity

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(transceiver) (mobile entity) (840) forming one endpoint (fig. 22) of an actual or potential communication path at the other end of which is said system (layer 4) (fig. 22 numbers 835,820,800), the path extending at least in part through a fixed communications infrastructure (fig. 22 and col. 24 line 25 through col. 28 line 25), the system comprising: a data store (memory) holding information about the geographic significance of internal nodes of the fixed communications infrastructure (col. 3 lines 55-61 and col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37), with respect to directions of traversal of the nodes (col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37); a node-discovery subsystem for identifying one or more said nodes that lie along said path intermediate the system and the first entity (col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37), and a data-processing subsystem operative to look up, in the data store (col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37), geographic significance information regarding at least one said intermediate node identified by the node discovery subsystem, the geographic significance information concerned relating to a direction of traversal of the node in a direction along said path towards said first entity and this information being used by the data-processing to provide said location

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information about the first entity (col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37).

Regarding claim 15, Wang discloses said path is at least in part through an packet network, inherently known in internet IP networks, taught in col. 3 lines 63-67) and the node-discovery subsystem is operative to effect node discovery by causing time-to-live timeouts (i.e. the transceiver location is stored in memory, once the transceiver moves the memory is updated, as taught in col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37) at successive nodes along the path (col. 20 line 19-61 and col. 21 line 39 through col. 22 line 37).

Conclusion


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ericsson et al. (U.S. Patent 5,956,637) discloses a subscriber database management in a mobile telecommunication system. Dommety et al. (U.S. Patent 6,078,575) discloses a mobile location management in ATM networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson 

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December 17, 2004